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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CAROLYN WILLIS-CASEY,

Defendant.

CASE NO: 2:12-cr-463-JCM-VCF

**UNOPPOSED MOTION TO
TEMPORARILY MODIFY CONDITIONS
OF PRETRIAL RELEASE AND
PROPOSED ORDER**

COMES NOW, JAMES A. ORONoz, ESQ., counsel for CAROLYN WILLIS-CASEY, and hereby submits the following Unopposed Motion to Temporarily Modify Conditions of Pretrial Release seeking an order authorizing pretrial services to temporarily return Ms. Willis-Casey's passport to her so that she may obtain a drivers license and reapply for a replacement green card. This motion is based upon the points and authorities contained herein.

Respectfully Submitted by:

/s/ James A. Oronoz
JAMES A. ORONoz, Esq.
700 South 3rd Street
Las Vegas, NV 89101
Counsel for Carolyn Willis-Casey

STATEMENT OF FACTS

On November 12, 2013, the United States Government filed a Second Superseding Indictment charging the Defendant, Carolyn Shelmadine Willis-Casey, along with several co-defendants, with Theft of Government Money, in violation of 18 U.S.C. § 641; False Citizenship Claim, in violation of 18 U.S.C. § 911; False Statement in Application for a Passport, in violation of 18 U.S.C. § 1542; Aggravated Identity Theft, in violation of 18 U.S.C. § 1028(a)(1); Conspiracy, in violation of 18 U.S.C. § 1349; and Mail Fraud, in violation of 18 U.S.C. § 1341. Ms. Willis-Casey's role in the conspiracy, at the outset, appears to have been relatively minor. On November 14, 2013, this Court issued an Order releasing Ms. Willis-Casey from pretrial detention on her own recognizance and setting several conditions of release. Included among those conditions were requirements that Ms. Willis-Casey surrender her legally obtained passport to pretrial services and that she obtain no other travel documents. She has complied with these requests.

It has recently become necessary for Ms. Willis-Casey, a legal resident of the United States, to renew her driver's license. Further, Ms. Willis-Casey's green card was stolen several years ago and her first attempt to obtain a replacement was unsuccessful, necessitating a reapplication for a replacement green card at this time. Both the process of renewing her driver's license and reapplying for her green card require that Ms. Willis-Casey present her passport in order to verify her lawful presence in the United States. Ms. Willis-Casey estimates that she will be able to complete both transactions within two days, provided that she is first able to obtain an appointment with US Citizen and Immigration Services to obtain a confirmation number and approval for her applications. Out of an abundance of caution, Ms. Willis-Casey is requesting a temporary return of her passport for two weeks in order to complete both transactions.

1 Ms. Willis-Casey now seeks an order from this honorable Court temporarily modifying
2 her conditions of pretrial release and authorizing pretrial services to temporarily return her
3 passport so that she may obtain a drivers license and reapply for a replacement green card. Ms.
4 Willis Casey asks that she be granted possession of her passport for two weeks, in order to
5 ensure that she's able to complete her applications.
6

7 The Government, by and through U.S. Attorney J. Gregory Damm, does not oppose the
8 instant request.
9

10 **MEMORANDUM OF POINTS AND AUTHORITIES**

11 A judicial officer may, at any time, amend an order setting conditions of release in order
12 to impose different conditions. 18 U.S.C. § 3142(c)(3).

13 Here, Ms. Willis-Casey asks only that the conditions of her release be modified
14 sufficiently to allow her to (1) renew her drivers' license and (2) reapply for a replacement green
15 card. Both of these actions must be completed in order for her to continue living and working in
16 the United States. As mentioned above, she has cooperated fully with the conditions of her
17 pretrial release and there is no indication whatsoever that she is a danger to the community or
18 that she represents a flight risk such that she should not be allowed to possess her passport for a
19 brief, temporary period of time.
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CONCLUSION

For the reasons stated above, James A. Oronoz, Esq., respectfully requests that the conditions of Ms. Willis-Casey's pretrial release be modified such that she be allowed to possess her passport for two weeks in order to complete the application processes described herein.

DATED this 8th day of January, 2014.

Respectfully submitted,

/s/ James A. Oronoz

JAMES A. ORONoz, Esq.

Counsel for Carolyn Willis-Casey

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Attorney for Defendant

UNITED STATES DISTRICT COURT
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ORDER

IT IS HEREBY ORDERED that the conditions of Ms. Willis-Casey's pretrial release be modified so that she be allowed to obtain her passport from pretrial services for a period of two weeks from the date of the signing of this order, for the purposes of: (1) renewing her Nevada drivers' license, and (2) reapplying for a replacement green card.

DATED January 9, 2014.


UNITED STATES MAGISTRATE

Respectfully Submitted By:

/s/ James A. Oronoz

James A. Oronoz, Esq.
Nevada Bar No. 6769

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that I am an employee of Oronoz & Ericsson L.L.C. and that I am a person of such age and discretion so as to be competent to serve papers.

That on January 8, 2014, I served an electronic copy of the above and foregoing UNOPPOSED MOTION TO TEMPORARILY MODIFY CONDITIONS OF PRETRIAL RELEASE AND PROPOSED ORDER by electronic service (ECF) to the person(s) named below:

DANIEL G. BOGDEN
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/s/ Wade Beavers
Employee of Oronoz & Ericsson L.L.C.